

SPECIAL MEETING – TUESDAY, JUNE 19, 2012

CITY HALL – 500 CASTRO STREET

5:00 P.M. – STUDY SESSION

6:30 P.M. – REGULAR SESSION

5:00 P.M. – STUDY SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CALL TO ORDER

Mayor Kasperzak called the meeting to order at 5:05 p.m.

2. ROLL CALL—Councilmembers Abe-Koga, Bryant, Macias, Means, Siegel, Vice Mayor Inks and Mayor Kasperzak were present.

3. STUDY SESSION

3.1 RECOLOGY PROPOSAL TO PROVIDE RECYCLABLE MATERIALS, ORGANIC MATERIALS AND SOLID WASTE COLLECTION AND ORGANICS PROCESSING SERVICES

Solid Waste Program Manager Topley presented an oral staff report and she, and City Manager Rich, responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF RENEWING THE CONTRACT:

Monique Kane, Community Health Awareness Council Executive Director

Chris Dateo

Mark Arsenault, Recology Vice President and Group Manager

Chris Pappas

SPEAKING FROM THE FLOOR WITH QUESTIONS, RECOMMENDATIONS AND/OR CONCERNS:

Chris Clark

Louie Pellegrini, Mission Trail Waste Systems President

Michael Gross, Green Waste Marketing Manager

Julie Muir

John Dustman, Red Rock Coffee

The Study Session was concluded at 6:24 p.m.

6:30 P.M. – REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

Mayor Kasperzak called the meeting to order at 6:36 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Kasperzak led the Pledge of Allegiance.

3. ROLL CALL – Councilmembers Abe-Koga, Bryant, Macias, Means, Siegel, Vice Mayor Inks and Mayor Kasperzak were present.

4. CONSENT CALENDAR

The reading of the full text of all ordinances and resolutions on the agenda was waived by unanimous consent of the Council.

City Attorney Quinn announced that staff is recommending that Item 7.1 be continued to a date uncertain, in order for the Santa Clara Valley Water District to complete its environmental review, and she responded to Council's questions.

SPEAKING FROM THE FLOOR WITH A RECOMMENDATION:

Don Letcher

Motion – M/S Means/Abe-Koga – Carried 6-1; Councilmember Siegel recused – To continue item 7.1 to a date uncertain.

Motion – M/S Macias/Siegel – Carried 7-0 – To approve the Consent Calendar.

4.1 APPROVAL OF MINUTES – Approve minutes for the City Council Special Meeting of June 5, 2012.

**4.2 RENGSTORFF PARK TENNIS COURTS RESURFACING, PROJECT 11-20—
APPROVE PLANS AND SPECIFICATIONS/AUTHORIZE BIDDING**

1. Approve Plans and Specifications for Rengstorff Park Tennis Courts Resurfacing, Project 11-20, and authorize staff to advertise the project for bids.
2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

**4.3 CAPE SEAL PROGRAM, PROJECT 12-27—AMEND BUDGET/APPROVE
PLANS AND SPECIFICATIONS/AUTHORIZE BIDS**

1. Appropriate \$75,000 from the Construction/Conveyance Tax Fund to Cape Seal Program, Project 12-27. (Five votes required)
2. Approve plans and specifications for Cape Seal Program, Project 12-27, and authorize staff to advertise the project for bids.
3. Authorize the City Manager to award the construction contract to the lowest responsible bidder if, based on the low bid, the project is within budget.

5. PUBLIC HEARINGS

5.1 111 NORTH RENGSTORFF AVENUE HOUSING PROJECT

Mayor Kasperzak opened the Public Hearing at 6:43 p.m.

Senior Planner Williams presented an oral staff report and she, Acting Planning Manager Gilli and City Attorney Quinn, responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT:

Jon Moss, Executive Vice President and Partner, Development. Mr. Moss also responded to Council's questions.

SPEAKING FROM THE FLOOR IN OPPOSITION:

Don Letcher

Motion – M/S Means/Inks – Failed 2-5; Councilmembers Abe-Koga, Bryant, Macias, Siegel, Mayor Kasperzak no – To: 1. Adopt the Mitigated Negative Declaration for the Northpark Apartments Project in accordance with the California Environmental Quality Act (Attachment 7 to the staff report); 2. Introduce AN ORDINANCE APPROVING AN AMENDMENT TO THE ZONING MAP TO CHANGE THE PROPERTY LOCATED AT 111 NORTH RENGSTORFF AVENUE FROM R3-2.2 (MULTIPLE-FAMILY RESIDENTIAL) TO R3-1.5 (MULTIPLE-FAMILY RESIDENTIAL), to be read in title only, and set a second reading for July 10, 2012 (Attachment 1 to the staff report); and 3. Adopt A RESOLUTION CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT FOR THE DEMOLITION OF 50 UNITS AND THE CONSTRUCTION OF 134 UNITS IN AN EXISTING APARTMENT COMPLEX AND A HERITAGE TREE REMOVAL PERMIT FOR THE REMOVAL OF 23 HERITAGE TREES ON PROPERTY LOCATED AT 111 NORTH RENGSTORFF AVENUE, to be read in title only, further reading waived (Attachment 2 to the staff report), with the following additional conditions: 1) requiring the developer to improve the concrete sidewalk along the property at Central and Rengstorff; and 2) that the housing impact fees be payable at the date occupancy permits are pulled.

Motion – M/S Bryant/Abe-Koga – Carried 7-0 – To: 1. Adopt the Mitigated Negative Declaration for the Northpark Apartments Project in accordance with the California Environmental Quality Act (Attachment 7 to the staff report); 2. **Ordinance No. 6.12**—Introduce AN ORDINANCE APPROVING AN AMENDMENT TO THE ZONING MAP TO CHANGE THE PROPERTY LOCATED AT 111 NORTH RENGSTORFF AVENUE FROM R3-2.2 (MULTIPLE-FAMILY RESIDENTIAL) TO R3-1.5 (MULTIPLE-FAMILY RESIDENTIAL), to be read in title only, and set a second reading for July 10, 2012 (Attachment 1 to the staff report); and 3. Adopt **Resolution No. 17694**— A RESOLUTION CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT FOR THE DEMOLITION OF 50 UNITS AND THE CONSTRUCTION OF 134 UNITS IN AN EXISTING APARTMENT COMPLEX AND A HERITAGE TREE REMOVAL PERMIT FOR THE REMOVAL OF 23 HERITAGE TREES ON PROPERTY LOCATED AT 111 NORTH RENGSTORFF AVENUE, to be read in title only, further reading waived (Attachment 2 to the staff report), with an added condition requiring the developer to complete the concrete sidewalk along the property between Central Expressway and Rengstorff Avenue.

Motion – M/S Bryant/Siegel – Failed 3-4; Councilmembers Abe-Koga, Means, Vice Mayor Inks, Mayor Kasperzak no – To direct staff to bring back a policy for redevelopment projects stating a preference for maintaining the existing footprint in an effort to protect as many trees as possible.

5.2 DOWNTOWN PARKING MAINTENANCE AND OPERATION ASSESSMENT DISTRICT FOR FISCAL YEAR 2012-13

Business Development Specialist Chew presented an oral staff report and responded to Council's questions.

Motion – M/S Siegel/Bryant – Carried 7-0 – To adopt the waiving of the reading of the statement of the Engineer of record.

City Clerk Brewer and Mayor Kasperzak read statements outlining the assessment review and protest processes.

Mayor Kasperzak opened the Public Hearing at 8:26 p.m.

Seeing no one wishing to speak, Mayor Kasperzak closed the Public Hearing at 8:27 p.m.

Motion – M/S Siegel/Bryant – Carried 7-0 – To: 1. Adopt a motion waiving the reading of the Statement of the Engineer of Record; and 2) Adopt **Resolution No. 17695**— A RESOLUTION ADOPTING THE ENGINEER'S REPORT FOR THE DOWNTOWN PARKING MAINTENANCE AND OPERATION ASSESSMENT DISTRICT FOR FISCAL YEAR 2012-13 AND AUTHORIZING ITS DELIVERY TO SANTA CLARA COUNTY, to be read in title only, further reading waived.

6. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Don Letcher expressed objections to funding the Rock Street Church Youth Center, utilizing Community Development Block Grant and Park Land funds.

Joe Igoe, Google Real Estate Director, expressed appreciation to Council for participating in the Castro Elementary School Service Day, and provided information regarding Google's grant of \$1,000,000 to the Mountain View Whisman School District to help improve math skills for all students, with a focus with regard to socio-economic disadvantaged students. Mr. Igoe also presented information regarding Google's commitment to a 20% reduction in energy, water and waste in response to the Clinton Global Initiative California's Best Buildings Challenge.

Christine Bush expressed appreciation to the Councilmembers who voted for the recent smoking ban. Ms. Bush also expressed concerns with an article in the *Mountain View Voice* referencing comments made by a councilmember during the deliberation of the smoking ban issue, comparing treatment of employees at certain locations in the City to historic slavery.

Don Bahl expressed concerns with the treatment of occupants of 819 Rengstorff during the last Council meeting due to the lack of information provided on their expected length of tenancy at the property.

7. UNFINISHED BUSINESS

7.1 PERMANENTE CREEK FLOOD PROTECTION PROJECT – CUESTA ANNEX DETENTION BASIN

This item was continued to a date uncertain.

8. NEW BUSINESS

8.1 CALIFORNIA HIGH-SPEED RAIL PROJECT – CITY COMMENTS TO STATE SENATOR SIMITIAN

Business and Transportation Manager Forsberg presented an oral staff report and she, City Manager Rich and Public Works Director Fuller, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS AND/OR WITH RECOMMENDATIONS:

Jim Neal
Don Bahl

Motion – Bryant/Abe-Koga – Carried 5-2; Councilmember Means, Vice Mayor Inks no – To authorize the Mayor, on behalf of the City Council, to send a letter to State Senator Joe Simitian sharing City concerns regarding the California High-Speed Rail Project.

Council recessed at 8:58 p.m. and reconvened at 9:07 p.m.

8.2 GATEKEEPER REQUESTS

Item 8.2(1) 400-520 San Antonio Road was requested to be removed from the agenda by the applicant.

Acting Planning Manager Gilli presented an oral staff report and he, and Community Development Director Tsuda.

SPEAKING FROM THE FLOOR IN SUPPORT OF THEIR RESPECTIVE PROJECTS:

Mark Robson, Robson Homes Principal (137 East Street)

Dave Hopkins, Sares Regis Group Vice President (700 East Middlefield & 1101 Maude Avenue.

Motion – M/S Means/Abe-Koga – Carried 7-0 – To authorize the assignment of staff resources for consideration of a Rezoning from R3-3 to R3-2.5 at 137 Easy Street; and authorize the assignment of staff resources for consideration of a Rezoning to allow a new office campus project with an FAR up to 1.0 at 700 East Middlefield Road and 1101 Maude Avenue.

9. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor Kasperzak reported that he attended the U.S. Conference of Mayors last week.

Councilmember Macias reported that she attended the Santa Clara County 2012 Armed Forces Month celebration and presented a Mayor's Proclamation on Sunday.

Vice Mayor Inks reported that he, Councilmembers Abe-Koga, Bryant and Macias, attended the kick-off of Google's Earth project at Castro School last week.

10. CLOSED SESSION REPORT – None.

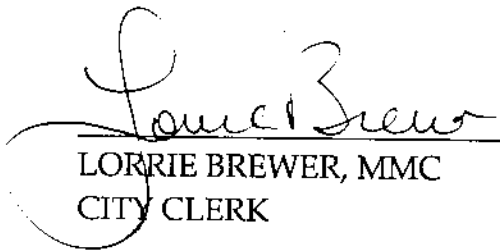
11. ADJOURNMENT

At 9: 30 p.m., Mayor Kasperzak adjourned the meeting in memory of former city employee Mike Percy who passed away on May 30th. The next Regular Council Meeting will be held on Tuesday, June 26, 2012, at 6:30 p.m. in the Council Chambers, 500 Castro Street.


11A. Resolutions and Ordinances enacted at this meeting are on file in the Office of the City Clerk.

ATTEST:

APPROVED:



LORRIE BREWER, MMC
CITY CLERK



R. MICHAEL KASPERZAK, JR.
MAYOR